



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,175	01/11/2002	Harry Bims	005878.P003	1604

7590 05/05/2004

Michael J. Mallie  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER

NGUYEN, DUC M

ART UNIT PAPER NUMBER

2685

DATE MAILED: 05/05/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/044,175

Applicant(s)

BIMS, HARRY

Examiner

Duc M. Nguyen

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 8-20 is/are rejected.
- 7) ☒ Claim(s) 4-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9, 12</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

This action is in response to applicant's response filed on 1/2/04. Claims 1-20 are now pending in the present application. **This action is made final.**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-3, 8-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Beach (US 6,067,297)**.

Regarding claim 1, **Beach** discloses a wireless LAN for associating an access point AP (repeater) with a mobile unit MU, wherein only the AP associated with the MU would forward the packet to the host (switch) based on the AP address of the wireless packet which would include all the claimed limitations (see Figs. 1-2, col. 1, lines 57-60 and col. 9, line 62 – col. 10, line 3), wherein the AP address would read on the indicator assigned to the one repeater including a MAC address that matched a MAC address of the wireless transmitted packets received from the MU. Here, as disclosed by Beach in line 1 of col. 10, "*packets addressed to the AP will be passed to the host*", this clearly implies that the address of the AP should match with a MAC address of the wireless transmitted packets. And since the address of the AP is obviously assigned and/or

configured by an system administrator located at the host computer for administration purpose, this AP address would read on an indicator assigned prior to receiving the packet as claimed. Therefore, the claimed limitations are made obvious by Beach for forwarding the packet only by the associating AP (repeater) addressed in the packet. Note that the packet is sent in MAC frames, hence the addresses in the packet would be MAC addresses (see col. 9, lines 21-23), and that the association of the MU to an EAP would apply equally well to a standard AP (see col. 10, lines 54-55).

Regarding claim **2**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, it is clear that Beach would disclose the step of receiving the AP address (indicator) from the central host computer (switch) when initializing a system configuration.

Regarding claim **3**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, since the token is just an indicator for allowing transmission, with the broadest reasonable interpretation, the AP address would read on the "token" as claimed.

Regarding claim **8**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, Beach discloses sending an acknowledgement (association response) to the mobile (see col. 10, lines 54-57).

Regarding claim **9**, **Beach** discloses a wireless LAN for associating an access point AP (repeater) with a mobile unit MU based on an Access Control list, which contains the IEEE addresses of MU's which are allowed to associate with a given AP, and an MU's IEEE address must be in the Access Control list in order for an associate

request to be accepted (see col. 10, lines 8-16). **Beach** further discloses that the AP sends an acknowledgement packet (association response) to the mobile if the IEEE address of the MU matched the IEEE addresses in the Access Control list (see col. 10, lines 24-57). Here, since the Access Control list comprises IEEE addresses of MU's MU's which are allowed to associate with a given AP, this would read on the tokens as claimed with the broadest reasonable interpretation, whereas it is clear that the Access Control list is obviously received and be configured by a system administrator located at the host computer in advance for administration purpose. Further, since the MAC address is administered by IEEE standard, it would have been obvious that the IEEE address as mentioned by Beach is the MAC address. Therefore, it would have been obvious to one of ordinary skill in the art to modify Beach for providing a method as claimed, so that only mobile station with address that matched addresses in the Access Control list (or tokens) would be able to associate with a given access point (repeater), to prevent association of other MUs from nearby systems or networks.

Regarding claim 10, the claim is rejected for the same reason as set forth in claim 9 above. In addition, Beach would disclose an add token command as claimed (see col. 10, lines 10-12).

Regarding claim 11, the claim is rejected for the same reason as set forth in claim 9 above. In addition, since the AP is connected to the host by wired Ethernet backbone (see col. 5, lines 2-3), it is clear that Beach would disclose the Access Control list (or tokens) packet comprises an Ethernet packet.

Regarding claims **12-13**, the claims are rejected for the same reason as set forth in claim 11 above. In addition, it is clear that Beach would disclose a 802.11 packet as claimed (see col. 9, lines 21-23).

Regarding claims **14-18**, the claims are interpreted and rejected for the same reason as set forth in claims 9-13 above.

Regarding claim **19**, the claim is rejected for the same reason as set forth in claim 9 above. In addition, it is clear that Beach would disclose a comparator as claimed.

Regarding claim **20**, the claim is rejected for the same reason as set forth in claim 16 above. In addition, it is clear that Beach would disclose a 802.11 packet as claimed (see col. 9, lines 21-23).

### ***Allowable Subject Matter***

3. Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

As to claim 4, the cited prior art fails to disclose or made it obvious an apparatus or method for receiving wirelessly transmitted packet from a mobile station which comprises steps as specified in the claim, wherein the assigned repeater forwarding the

packet to a switch if a MAC address in the packet matched with the indicator stored therein at the assigned repeater, and wherein the same indicator is switched from the assigned repeater to another repeater based on the movement of the mobile station.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 1/2/04 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609(B)(2)(i). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

**7. Any response to this final action should be mailed to:**

Box A.F.

Commissioner of Patent and Trademarks

Washington, D.C. 20231

or faxed to:

703-872-9314 (for formal communications intended for entry)

(for informal or draft communications, please label PROPOSED or DRAFT)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc M. Nguyen whose telephone number is 703-306-4531. The examiner can normally be reached on Monday-Thursday (9:30 AM – 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Duc M. Nguyen  
May 3, 2004

